

REMARKS:

These remarks are in response to the non-final office action mailed March 15, 2006, in which claims 1-12, 14 and 15 are pending. Claims 13 and 16-40 have previously been cancelled. Claims 1-12, 14 and 15 stand rejected. Claims 6, 9 and 11 stand objected to.

The Examiner objected to claims 6, 9 and 11 as having alleged insufficient antecedent basis for the limitation "said plastic body." Claim 1 has been amended to include the limitation "plastic" within the phrase "a body" in line 2 thereof. Support for this amendment can be found in at least paragraph [0010] of the specification and no new matter has been added. Claims 6, 9 and 11 depend directly from claim 1 and thus correct antecedency for the objected limitation has been provided.

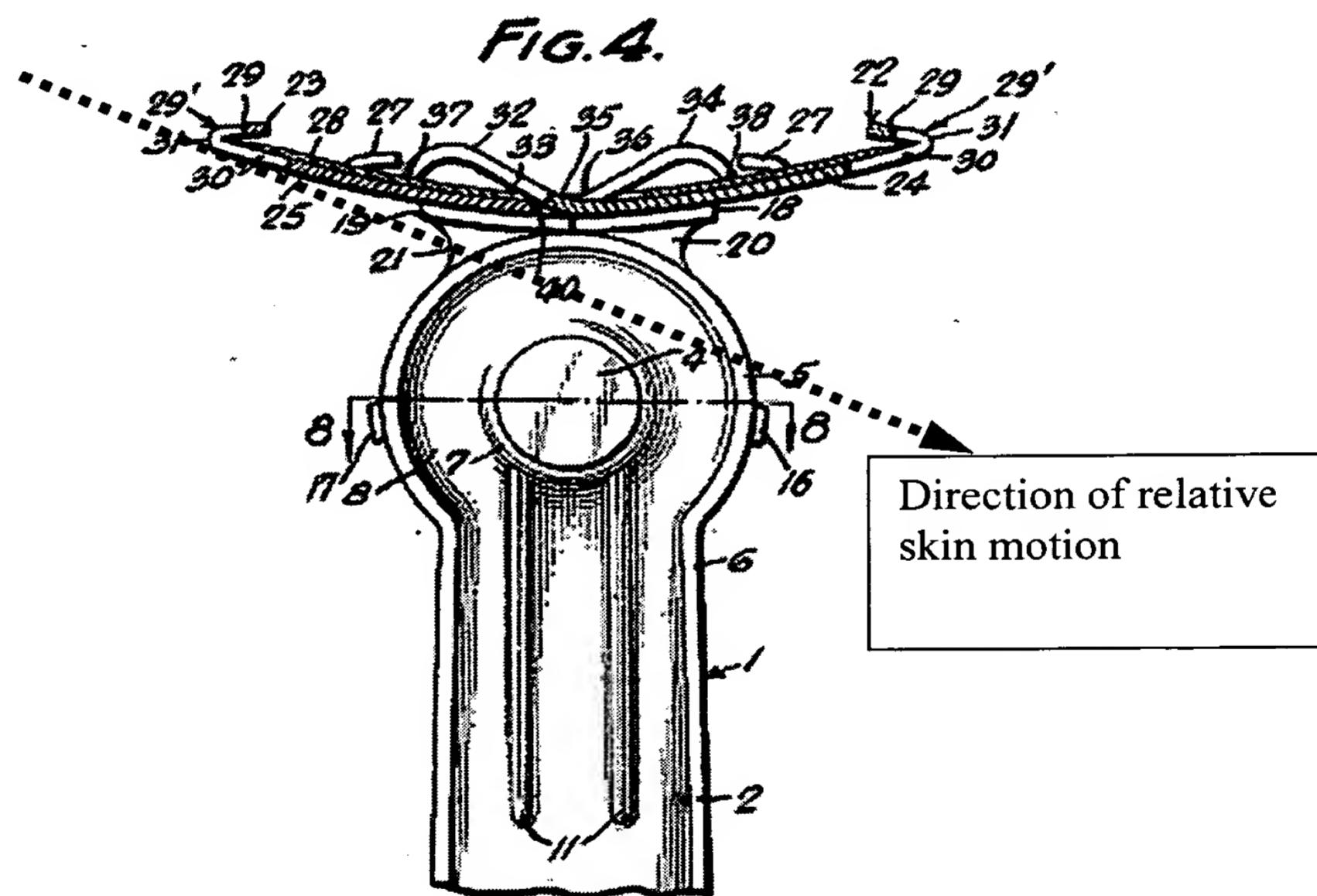
The Examiner also objected to claim 11 for alleged lack of clarity and stated "[O]ne cutting blade can't be parallel to another when only one blade is claimed." Claims 1, 11 and 12 have been amended to recite "two or more cutting blades." Support for this amendment can be found in at least Figs. 1-4 and 6-14 and paragraph [0011] of the specification and no new matter has been added. The Applicants contend that claim 11 is clear as "two or more cutting blades" can be "substantially parallel to one another."

The Applicants therefore respectfully request the objections to claims 6, 9 and 11 be withdrawn.

The Examiner rejected claims 1-5, 11, 12, 14 and 15 under 35 USC 102(b) as being anticipated by H. F. Shannon (US Patent number 2,560,004, hereinafter referred to as the "'004 patent").

In making the rejection the Examiner alleges that the '004 patent discloses a body (23) including a leading edge (29) and a trailing edge (25). The Applicants respectfully contend that the Examiner is erroneously applying the terms leading and trailing to the edge elements referenced 29 and 25 in the '004 patent. The usual and customary definitions of leading and trailing, as used in the context of the present application and as would be understood by a person having ordinary skill in the art, refer to elements that contact the skin before (leading) and after (trailing) the cutting edge(s) during a normal shaving operation. This language can be found in many US Patents and Applications having filing dates contemporary with the present application

and the Applicants contend that the terms leading and trailing are well known in the art and these terms are used with their well known definitions in the present application. The Applicants concede that elements 29 and 25 are edges, but these cannot be leading or trailing edges as is well known in the art. If, *arguendo*, a user attempted to use the device of the '004 patent in a manner such that edges 29 and 25 were leading and trailing edges, then handle 1 would impede any shaving operation. By way of graphical explanation, Fig. 4 of the '004 patent is reproduced below. An angled arrow has been added, slightly spaced away from 29 and 25 for clarity, depicting the direction of motion of the skin of a user relative to this device during a normal shaving operation. Clearly handle 1 impedes use in this manner and thus 29 and 25 cannot be leading and trailing edges in the usual and customary sense.



Furthermore, the ‘004 patent is directed to “safety razors of the type in which a flexible and resilient blade is clamped” (at Col 1, lines 1-3) and this patent makes numerous references to a singular safety razor blade. The Applicants contend that the ‘004 patent fails to disclose or teach “[A] razor blade cartridge, comprising” “two or more cutting blades” as recited in amended claim 1 of the present application.

For a rejection to be made under 35 U.S.C 102, a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. The Applicants therefore contend that the ‘004 patent fails to anticipate, teach or suggest the “razor blade cartridge, comprising” “a plastic body including a leading edge, a trailing edge” and “two or more cutting blades” recited in claim 1 of the present application. As such, the ‘004 patent does not anticipate claims 1 and it is respectfully submitted that claim 1 is allowable over the ‘004 patent. Dependent claims, by definition, further define the subject matter of the independent claims from which they depend. Because claims 2-5, 11, 12, 14 and 15 depend from claim 1, claims 2-5, 11, 12, 14 and 15 add recitations that further define the subject matter of independent claim 1. As claim 1 is believed to be allowable, claims 2-5, 11, 12, 14 and 15 are therefore also believed to be allowable. The Applicants therefore respectfully requested the Examiner to reconsider and withdraw the rejection of claims 1-5, 11, 12, 14 and 15 under 35 U.S.C. 102 (b) as being anticipated by the ‘004 patent.

The Examiner rejected claims 1-7, 9-12, 14 and 15 under 35 U.S.C. 103(a) as being unpatentable over Althaus (US 5,359,774 hereinafter referred to as the “‘774 patent”) in view of the ‘004 patent.

In making the rejection, the Examiner alleges that the ‘774 patent discloses “a body 1 including a leading edge and a trailing edge, a series of guard ribs (28 and 29) integrally formed with the body.” Each and every embodiment of the ‘774 patent discloses a razor blade unit comprising a base member 2, a top cover 4, and a spacer 21, sandwiched between the razor blades (in Col 3, lines 31-37). At least Fig. 5 of the ‘774 patent shows that the spacer 21 is a separate component and the Applicants therefore contend that guard ribs 29 extending from spacer 21 cannot be “integrally formed with the body” as is recited in claim 1 of the present application.

The Examiner concedes that the '774 patent does not show the "guard ribs extends from said body adjacent said leading edge to said body adjacent said trailing edge such that said one or more guard ribs is continuous with said body adjacent said leading edge and said body adjacent said trailing edge" also as recited in claim 1 of the present application. The Examiner alleges that the '004 patent teaches the use of guard ribs 31 extending from the body adjacent the leading edge to the body adjacent the trailing edge. For at least the reasons stated above, the Applicants contend that the '004 patent fails to teach or disclose a "body including a leading edge (and) a trailing edge" as is further recited in claim 1 of the present application, where the terms "leading" and "trailing" have their usual and customary definition as would be understood by a person having ordinary skill in the art.

To establish a prima facie case of obviousness for a claimed invention, all the claim limitations must be taught or suggested by the prior art. Accordingly, for at least the reasons stated above the Applicants respectfully contend that the '774 patent on its own or in combination with the '004 patent fails to render claim 1 obvious and it is respectfully submitted that claim 1 is allowable over the '774 patent in view of the '004 patent. In the present application claims 2-7, 9-12, 14 and 15 depend directly or indirectly from claim 1. As claim 1 is believed to be allowable, claims 2-5, 11, 12, 14 and 15 are therefore also believed to be allowable. The Applicants therefore respectfully requested the Examiner to reconsider and withdraw the rejection of claims 1-7, 9-12, 14 and 15 under 35 U.S.C. 103 (a) as being unpatentable over the '774 patent in view of the '004 patent.

The Examiner rejected claim 8 under 35 USC 103(a) as being unpatentable over the '774 patent in view of the '004 patent as applied to claims 1, 6 and 7 and further in view of King et al (US Patent number 6,167,625).

Claims that depend from a claim that is non-obvious are themselves necessarily non-obvious. Because claims 8 depends indirectly from claim 1, and because the Applicants contend that claim 1 is allowable and non-obvious for at least the reasons stated above, claim 8 is necessarily non-obvious. The Applicants, therefore, respectfully submit that claim 8 is allowable. Accordingly, the Applicants respectfully request that the rejection of claim 8 be withdrawn.

The Examiner rejected claims 1-6, 9 and 11 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 31-33 and 43-46 of US Patent No. 6,550,141 (hereinafter referred to as the "141 patent").

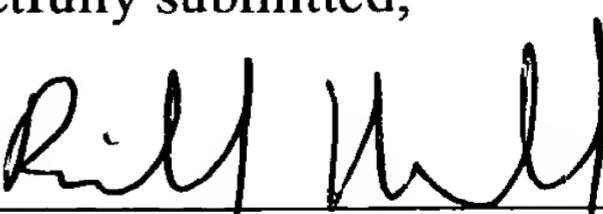
The Applicants contend that the amendments described herein to independent claim 1 render this claim patentably distinct from the claims of the '141 patent. Because claims 2-6, 9 and 11 depend from claim 1, claims 2-6, 9 and 11 add recitations that further define the subject matter of independent claim 1. As claim 1 is believed to be patentably distinct, claims 2-6, 9 and 11 are therefore also believed to be patentably distinct from the claims of the '141 patent. However, in the interests of expediting the prosecution of the present application, the Applicants dedicate to the public the terminal portion of claims herein that are believed allowable. A terminal disclaimer compliant with 37 CFR 1.321(c) is appended to the present response.

SUMMARY:

In summary, the Applicants believe that the foregoing remarks are fully responsive to the Office Action and that the amended claims herein are allowable. The Applicants therefore respectfully request that the rejections and objections be withdrawn and the present application be passed onto allowance.

A check in the amount of \$130 is enclosed with the present response as payment for the fee for filing the accompanying terminal disclaimer. The Applicants believe that no additional fees are due with the filing of the present response, however, if any additional fees are due, please charge Deposit Account No 503342 maintained by the Attorneys of the Applicants.

Respectfully submitted,

By 

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